

Viereck Prosecutor Calls Lundeen Tool; Fish's Role Assailed

Jan 9/34
Tells Jury Defendant
Is American Apostle
Of Wilhelmstrasse

By CARTER BROOKE JONES.

George Sylvester Viereck, on trial in District Court for assertedly concealing German propaganda activities from the State Department, was assailed today by Special Prosecutor William Power Maloney in the closing summation for the Government as "the American mouthpiece of the Nazis in Berlin—the American apostle of the murderous, lying rogues of the Wilhelmstrasse."

"This is war," the prosecutor told the jury of two women and 10 men, "and the American people are relying on you for their protection just as much as they are relying on the armed forces."

Referring to testimony linking Viereck's alleged propaganda with the late Senator Lundeen, Minnesota Farmer-Laborite, Mr. Maloney said:

"What a tragic picture—a Nazi propagandist putting words in the mouth of a United States Senator."

Assails Representative Fish.

The prosecutor saw the Government's evidence as describing "a United States Senator chained as a vassal to the wheel of Goebbels' propaganda."

Mr. Maloney thus characterized the asserted role of Representative Fish, Republican, of New York in the distribution of a speech by Senator Lundeen for Viereck:

"Congressman Fish, that windy warrior who cowered in his tent while his poor, unfortunate clerk took the rap."

The prosecutor had referred to George Hill, former clerk in Mr. Fish's office, who testified for the Government at the Viereck trial after he was convicted of perjury before the grand jury and sentenced to from two to six years.

The Government attorney said former Senator Rush Holt of West Virginia should explain to the American people why he had turned over a manuscript to Viereck and Viereck had tried to send it to Berlin "for approval." It was this manuscript which was intercepted by a British censor at Bermuda, according to the Government's evidence.

"Outstanding Propagandist."

Mr. Maloney said the undisputed evidence showed that Viereck had been a German propagandist for 25 years and the prosecutor added: "By his own admission he was the world's outstanding propagandist."

At last, Mr. Maloney said, Viereck "has had to answer to the American people for his crimes and his conniving against the American way of life."

Speaking of a speech delivered by

Senator Lundeen, the material for which, according to Government testimony, was furnished by the German Embassy at the request of Viereck, the prosecutor declared:

"How the Nazis in Berlin must have laughed at that. How they must have looked forward to the time when his man or one of his American Quislings would sit in the White House as the American Fuehrer."

Mr. Maloney quoted repeatedly from a book on propaganda in the last war which Viereck wrote more than a decade ago. The prosecutor said this book was "the text of the Government's case and the epitaph of this defendant."

Scoffing at the defense claim that Viereck, when he registered at the State Department as a German agent, truthfully outlined his work as that of "an author and journalist" the prosecutor asked: "Is that what the Nazis in Berlin paid this man \$70,000 for? Or did Herr Hitler and Herr Goebbels pay him to write the speeches of Senator Lundeen and other Americans?"

Mr. Maloney's argument was followed by the charge of Justice F. Dickinson Letts to the jury. Justice Letts had completed only a portion of the charge when a recess for lunch was taken. Indications were the case would go to the jury about midafternoon.

Adjournment was taken late yesterday after Mr. Hickey made the opening argument for the Government and Mr. Cohalan summed up for the defense.

Viereck was pictured variously in

the arguments as a clever undercover propagandist who had "defiled his American citizenship" and as a victim of overzealousness, a man who had not been convicted by the testimony of a single un-American act.

Could Get Up to 6 Years.

The German-born author, who came to this country as a boy, registered at the State Department as a German agent after adoption of the Foreign Agents Registration Act of 1938. But the indictment charges that he failed in supplemental statement to describe "the nature of his business comprehensively," but merely listed himself as "author and journalist."

Viereck, under \$15,000 bond, faces, if convicted, a possible maximum penalty of two to six years in the penitentiary and a fine of \$3,000, assuming he is found guilty on the three counts of the indictment and the penalties run consecutively.

"Viereck always worked through other people," Prosecutor Hickey told the jury. "He knew that propaganda never works if exposed, that it feeds on camouflage."

Refers to Publicity Venture.

Mr. Hickey referred to Flanders Hall, Inc., a small New Jersey publishing house, which Viereck admittedly subsidized to the extent of \$22,500 to publish paper-backed books in which he was interested. These books, the prosecutor pointed out, included anti-British and isolationist propaganda, some "translated bodily" from books put out by the German Library of Information in Berlin.

The prosecutor held out before the jury a mailing list. First, he recalled, it appeared in the office of Representative Fish, Republican, of New York, then in the office of Viereck, then at the publishing house.

"These books," Mr. Hickey added, "were deluging the people of the country. They were put out at a loss under the sole control and direction of this defendant."

The prosecutor called Prescott Dennett, who was head of the Make Europe Pay War Debts and Islands for War Debts Committees, "a perfect stooge for Viereck." George Hill, former clerk for Representative Fish, testified he was paid \$3,000 by Dennett to meet the expense of mailing out reprints of non-interventionist speeches by members of

Congress, Mr. Hickey cited.

The Government attorney said Viereck's object was to "lull us to sleep, to promote the interests of another country." Through Viereck's manipulations, he added, "tons of franked literature were sent broadside over the country."

Defense Charges Smearing Tactics.

"This man," Mr. Hickey said of Viereck, "has shamed and defiled his citizenship, but we are merely asking his conviction for violation of the Foreign Agents Registration Act."

Mr. Cohalan charged the Government with "smearing" various persons, including several members of Congress, in an effort to "get" Viereck. Representative Fish, former Senator Holt of West Virginia and finally the late Senator Lundeen of Minnesota were dragged into the case, Mr. Cohalan said, although nothing they were alleged by the Government to have done with or through Viereck was discreditable to them.

"Senator Lundeen is dead," said the defense attorney. "His memory has been soiled in this courtroom. He cannot answer back."

Mr. Cohalan contended that no German propaganda in the books issued by Flanders Hall and no connection between the German government or their publication had been proved.

"There is no testimony suggesting anything un-American in what Mr. Viereck is alleged by the Government to have done," his counsel declared. "And there is nothing un-American in these books in evidence published by Flanders Hall."

He pointed out that the F. B. I. had gone over the publishing house thoroughly and had found nothing illegal.